

Appl. No. 09/491,727  
Amdt. dated July 28, 2011  
Reply to Office Action of April 28, 2011

### **REMARKS/ARGUMENTS**

In the Office Action mailed April 28, 2011 (hereinafter, “Office Action”), claim 18 stands rejected under 35 U.S.C. § 101. Claims 1-6 and 8-18 stand rejected on the ground of nonstatutory obviousness type double patenting. By this paper, claim 18 is being amended.

Applicants respectfully respond to the Office Action.

#### **I. Claim 18 Rejected Under 35 U.S.C. § 101**

Claim 18 stands rejected under 35 U.S.C. § 101. Claim 18 has been amended to include the term “non-transitory”. Accordingly, Applicants respectfully request that the rejection of claim 18 under 35 U.S.C. § 101 be withdrawn.

#### **II. Double Patenting Rejection of Claims 1-6 and 8-18**

Claims 1-6 and 8-18 stand rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 7,908,652. Applicants have executed a terminal disclaimer in response to this rejection. The terminal disclaimer is enclosed herewith. Accordingly, Applicants respectfully request that the rejection be withdrawn.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully submit that all pending claims in the present application are in a condition for allowance, which is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

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Respectfully submitted,

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